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March 12, 2020

District Judge Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

USDC SDNY  
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**MEMO ENDORSED**

Re: 1:20-cv-01084-VEC  
Hamilton v. Orgain, Inc.

Dear District Judge Caproni:

This office represents the plaintiff. In accordance with your Honor's Individual Practices in Civil Cases, plaintiff and defendant request an adjournment of the Initial Conference until Thursday, May 14, 2020.

The original date for the Initial Conference is Friday, March 20, 2020 and the submission of the joint letter is to be filed no later than Thursday, March 12, 2020. There have been no previous requests for adjournment of this date. No previous request was granted or denied. The reason for this request is because the parties are in negotiation for defendant to accept formal service of process. Plaintiff anticipates defendant will execute a waiver of service within the next two to three weeks.

Plaintiff requests an adjournment of at least forty-five (45) days so that defendant can sign and return the waiver of service, evaluate the case and discuss it with the undersigned in advance of the date by which defendant's answer or response to the complaint is due. The requested adjournment will permit the parties to consider defendant's possible responsive pleading or answer, an amended complaint by defendant or a resolution of this action based on good faith negotiations. This request is submitted at least 48 hours prior to the date of the conference. Thank you.

Respectfully submitted,

Application DENIED.

/s/Spencer Sheehan  
Spencer Sheehan

The Court notes that the parties may participate in the IPTC via teleconference, but they must notify the Court no later than March 18, 2020, if they wish to do so.

SO ORDERED.

  
3/13/2020

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

**Certificate of Service**

I certify that on March 12, 2020, I served and/or transmitted the foregoing by the method below to the persons or entities indicated, at their last known address of record (blank where not applicable).

	CM/ECF	First-Class Mail	Email	Fax
Defendant's Counsel	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Plaintiff's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courtesy Copy to Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

/s/ Spencer Sheehan